
STAFF COMMENTS FOR PLANNING COMMISSION

REPORT DATE: January 17, 2025

RESPONSIBLE STAFF: Jasmine Forbes,
Planner III

PUBLIC MEETING DATE

January 22, 2025

APPLICATION NUMBER

SP-9881-2024

SUMMARY OF REQUEST-FINAL SITE PLAN

The Applicant is requesting to construct 232 single- family residential units.

APPLICANT

Kate Kubit,
Watkins Mill Development, LLC.

SUBJECT PROPERTY ADDRESS

Stevenson-Metrogrove Properties
Parcels P342, P304, P238, P241, P305,
P240, P308 and Part P209 (Tax Map
FT22)

ZONE

MXD (Mixed Use Development)

EXISTING LAND USE

Vacant

STAFF RECOMMENDATION

Staff recommends **THAT THE PLANNING COMMISSION, BASED ON THE EXHIBITS SUBMITTED, THE APPLICANT'S TESTIMONY, THE STAFF REPORT, FINDINGS, AND RECOMMENDATION, GRANT SP-9881-2024, FINAL SITE PLAN APPROVAL AND ENV-9882-2024 FINAL FOREST CONSERVATION PLAN , FINDING IT IN CONFORMANCE WITH §§ 24-170 and 24-171 OF THE CITY'S ZONING ORDINANCE WITH SEVEN (7) CONDITIONS.**

Approve

Approve With Conditions

Deny

Defer

Enclosures:

Staff Comments and Location Map

Exhibits

Exhibit #1: Applications

Exhibit #2: SDP Resolution R-15-24

Exhibit #3: Road Code Waiver Resolution R-16-24

Exhibit #4: Abandonment Ordinance O-2-24

Exhibit #5: Site Plans

Exhibit #6: Landscape and Lighting Plan

Exhibit #7: Forest Conservation Plan

Exhibit #8: Retaining Wall Plans

Exhibit #9: Tree Estimate Chart

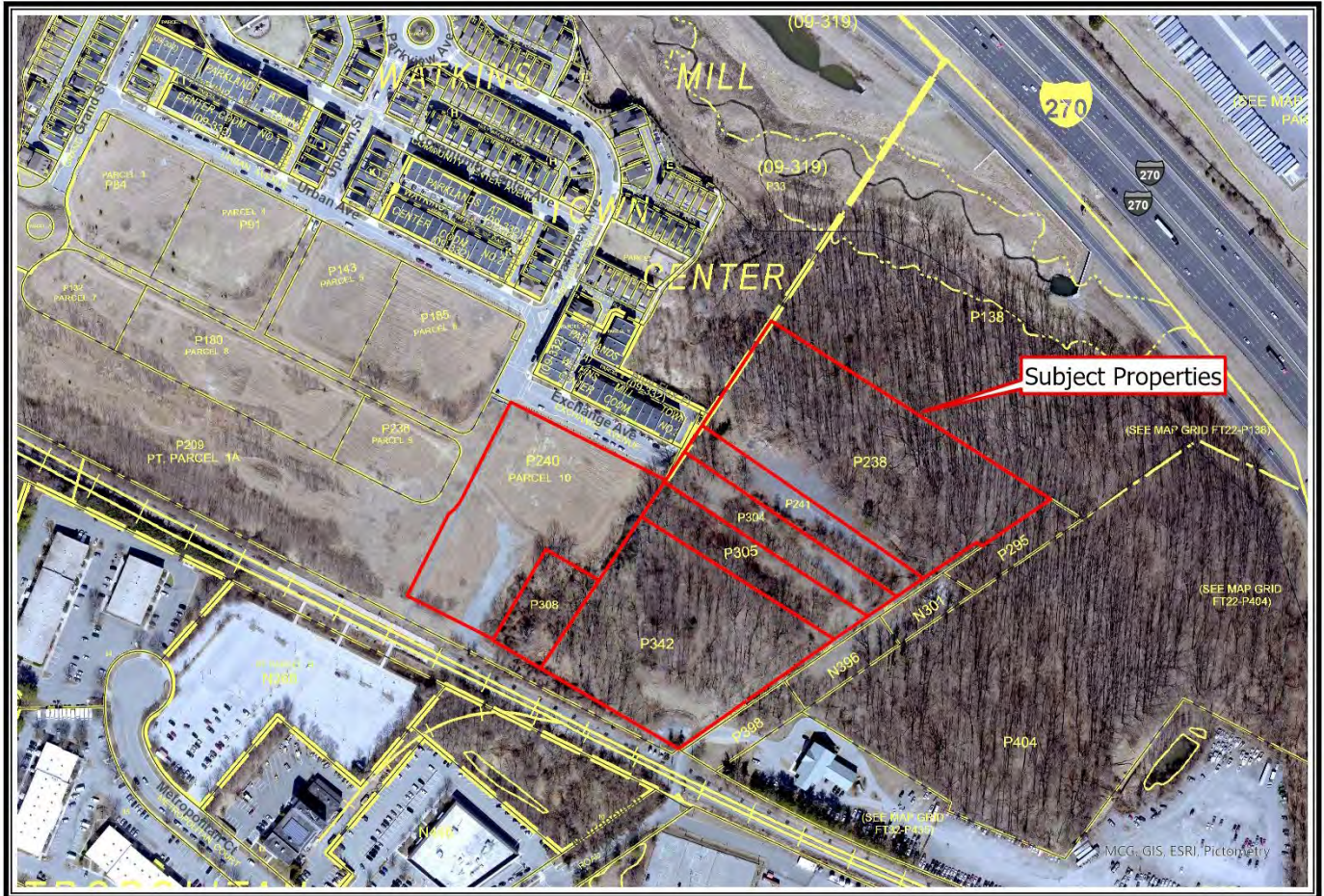
Exhibit #10: MCPS Utilization Fee Table

Exhibit #11: Noise Study

Exhibit #12: Email Correspondence from Doug Smith

Exhibit #13: Applicant Statement of Justification

Exhibit #14: Notifications



Location Map

STAFF ANALYSIS

I. BACKGROUND:

The Applicant Kate Kubit, of Watkins Mill Development, LLC., submitted Final Site Plan Application SP-9881-2024 requesting approval for the construction of 232 single family residential units (Exhibit #1). This application is based upon Schematic Development Plan (SDP) application, SDP-9558-2024, approved by the Mayor and City Council on March 18, 2024 by Resolution R-15-24 with six (6) conditions (Exhibit #2). The SDP also included the following approvals:

- Tree Removal Variance: Removal of twenty-nine (29) specimen trees that has a Diameter Breast Height (DBH) over thirty (30) inches
- Road Code Waiver RC-9560-2023 (Resolution R-16-24- Exhibit #3): Reduction of the required sixty-two (62) feet to fifty-two (52) feet for Street B.
- Right-Of-Way Abandonment AB-9653-2023 (Ordinance O-2-24- Exhibit #4): Abandon 7,092 square feet of Exchange Avenue.

II. SCOPE OF REVIEW:

This application was reviewed under the Zoning Ordinance in effect at the time of submission in accordance with § 24-1.2 of the 2024 City Zoning Ordinance Update, "Any application, including any sketch plans, schematic development plans or site development plans included therein, that is submitted prior to the effective date of the 2024 City Zoning Ordinance Update and that is deemed valid and complete and includes all application components required pursuant to the zoning code in effect at the time of the application's submission shall be revised by the planning division, planning commission, city council and all other relevant city agencies pursuant to the standards of the zoning code in effect at the time of the application's submission, as long as the submission proceeds for review and approval within two (2) years of its submission."

Site plan approval is required pursuant to § 24-168 of the Zoning Ordinance, which states:

"No building or structure shall be hereafter erected, moved, added to or structurally altered under circumstances which require the issuance of a building permit under this chapter, nor shall any use be established, altered or enlarged under circumstances which require the issuance of a use and occupancy permit under this chapter, upon any land, until a site development plan for the land upon which such building, structure or use is to be erected, moved, added to, altered, established or enlarged has been approved by the city planning commission."

The Applicant is also requesting approval of Final Forest Conservation Plan application ENV-9882-2024. Pursuant to Chapter 22 of the City Code, the Planning Commission must review and approved Forest Conservation Plans.

III. SITE PLAN ANALYSIS AND FINDINGS:

In accordance with § 24-170 and § 24-171 of the City Code, the Planning Commission has the authority to review and make determinations regarding the proposed plan for the purpose of protecting the public health, safety and welfare. The required findings are reference in § 24-170 of the City Code. Accordingly, Staff provides the following comments and findings for Planning Commission's consideration:

Location

The subject area of the application ("Site" or "Property") is adjacent to the Watkins Mill Town Center development and is consists of the currently undeveloped parcels P240, P308, P342, P305, P304, P241, and P238. The Property is bounded by the Parklands at Watkins Mill Town Center community and the unbuilt urban core of Watkins Mill Town center to the west, the CSX Railroad to the south, Metropolitan Grove Road to the east and a City-owned property to the north. Existing access points to the Site are from Exchange Avenue and Metropolitan Grove Road.

Zoning and Site Plan History

Annexation and Zoning

The western section of the Site (Parcel P240) was annexed into the City of Gaithersburg as part of Annexation Application X-095 by Resolution R-8-68 on April 15, 1968. At the time of annexation, the Property was zoned I-3 (Industrial and Office Park), by Resolution R-9-68. The eastern section of the Site (Parcels P238, P241, P304, P305, P342, and P310) was annexed into the City as part of Annexation Application X-104 by Resolution R-6-74 on January 28, 1974. At the time of annexation, part of the tract of land was zoned I-1 (Light Industrial Zone) and the remainder of the land was zoned R-A (Low Density Residential) by Resolution R-7-74.

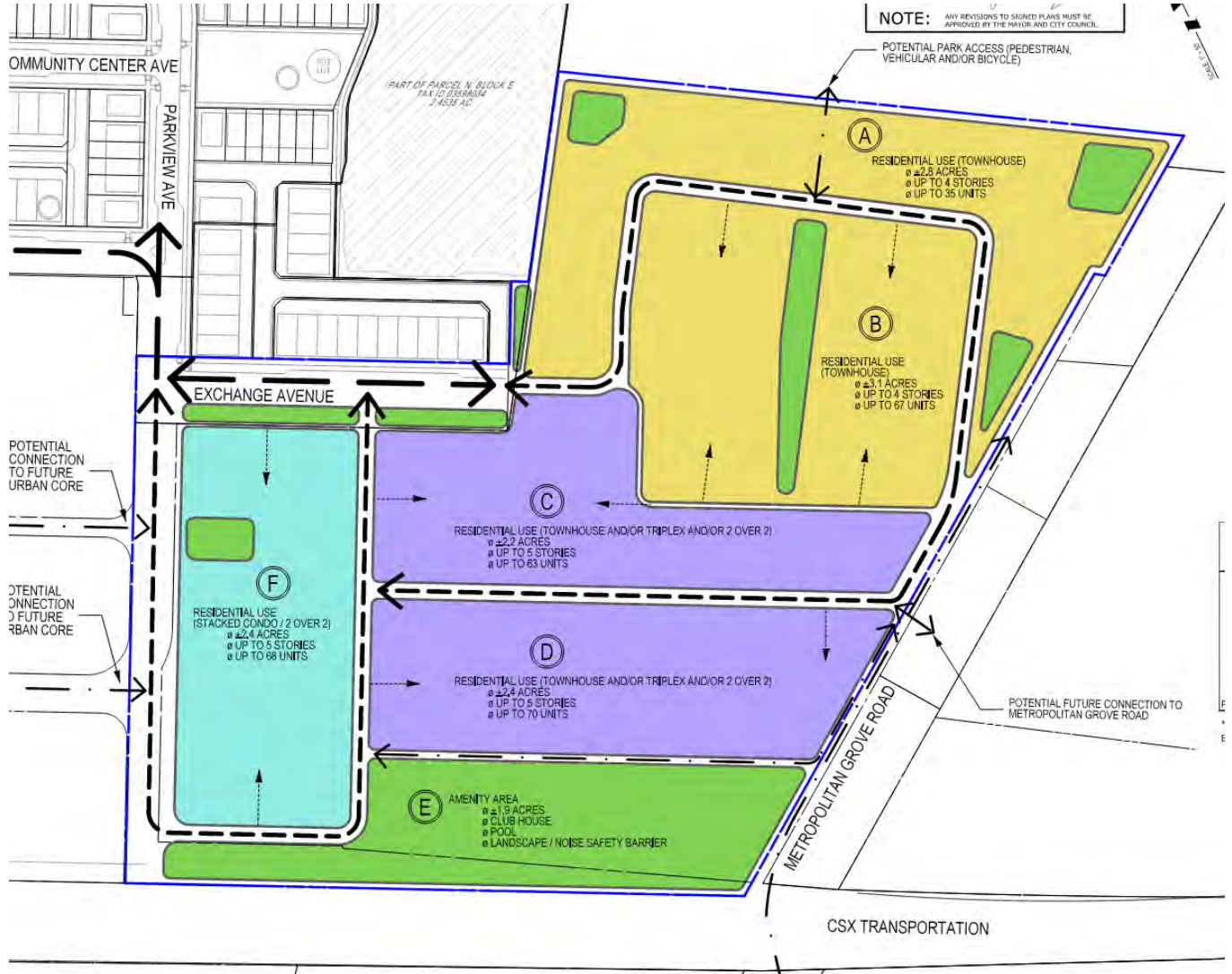


Annexation Map

On April 21, 1986, the Mayor and City Council approved Zoning Map Amendment Application Z-248, to rezone the remainder of the land from R-A to I-1 Zone by Ordinance O-6-86. On April 1, 1996, the Mayor and City Council approved Comprehensive Map Amendment Z-278 by Ordinance O-05-96, which rezoned the Properties from the I-3 and I-1 Zones to the MXD (Mixed Use Development) Zone, as recommended by the Neighborhood Five Land Use Plan of the 1997 Master Plan.

Site Plan History

Parcel P240 was included in Sketch Plan Application Z-297, which was approved by the Mayor and City Council on April 18, 2005, by Ordinance O-1-05. Parcel P240 was also included as part of SDP application SDP-05-002. SDP-05-002 was approved by the Mayor and City Council on August 1, 2005 by Resolution R-75-05 for a mixed-use project which included 1,066 dwelling units, 259,939 square feet of mixed-use commercial space, 936,650 square feet of office and 394 room hotel. Parcels P238 and P241 was included in the approved Sketch Plan application Z-7187-2015 by Resolution R-60-16. The approval was for 83 units, which may include all townhouses or a mix of townhouses and 2-over-2 stacked townhouse condos. Sketch Plan Application SK-9174-2022 was approved on June 21, 2022, by Resolution R-38-22. The approved sketch plan permits up to 287 dwelling units of various residential types, including townhouse, 2-over-2 stacked townhouse condominiums and triplexes. This Sketch Plan includes that entire project area that is part of this current SDP application and currently overrides the previous Sketch Plan approvals.



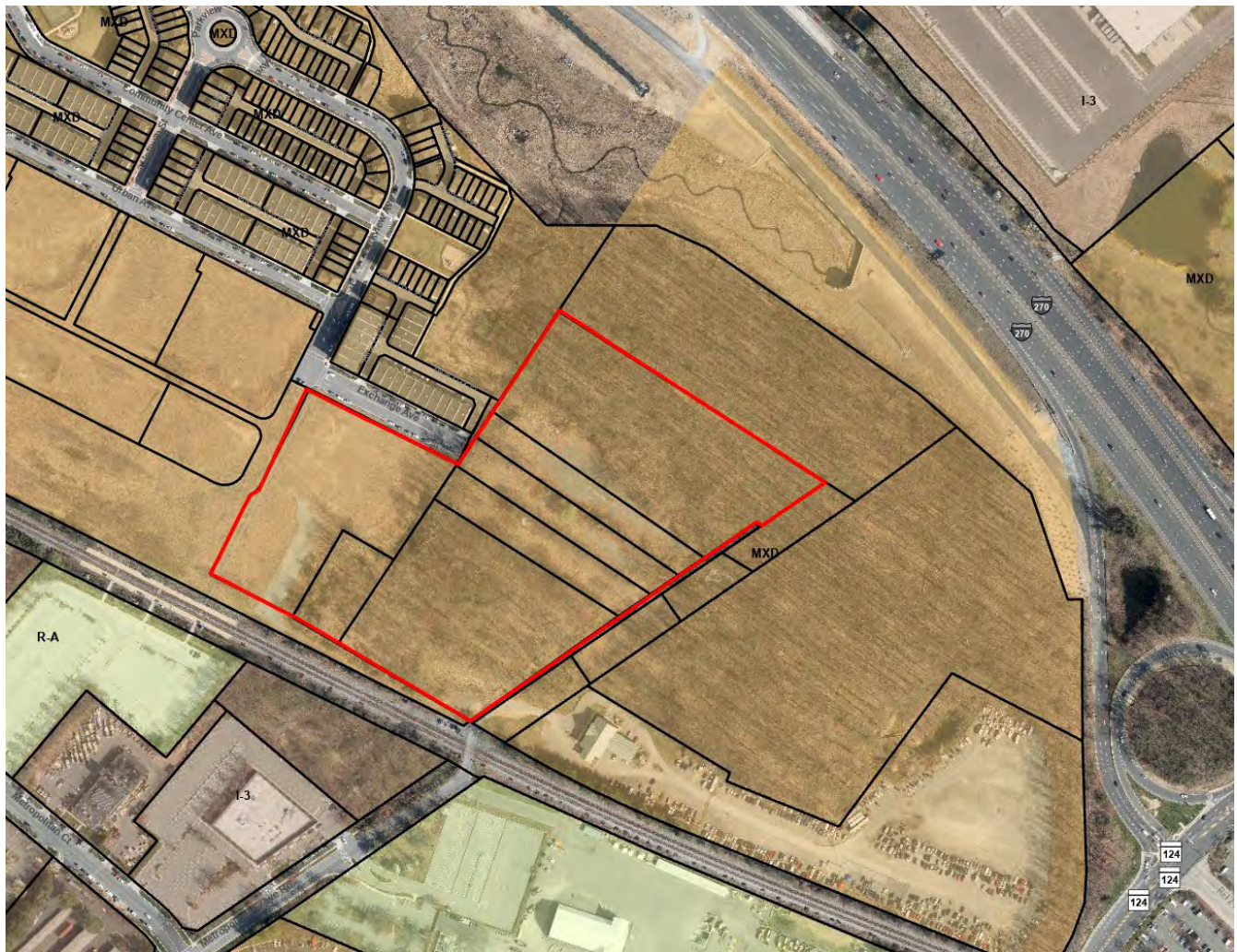
Sketch Plan SK-9174-2022

On March 18, 2024, the Mayor and City Council approved SDP application SDP-9558-2024 by Resolution R-15-24. The SDP approval also included a tree removal variance, road code waiver and right-of-way abandonment. On September 18, 2024, the Planning Commission approved Tree Variance application ENV-9927-2024 to remove additional trees that was not included in the original variance request for SDP-9558-2024.

Surrounding Land Use and Zoning

The following table summarizes the land use and zoning for the surrounding properties:

| Direction | Zoning | Land Use |
|-----------|---|------------------------------------|
| North | MXD (Mixed Use Development) | Open Space (Brown Station Park) |
| South | I-3 (Industrial Office Park) R-A (Low Density Residential) | Office |
| East | MXD (Mixed Use Development) | Undeveloped |
| West | MXD (Mixed Use Development) | Residential and Undeveloped |



Zoning Map

Master Plan

1997 Master Plan

The Site was included in the 1997 Master Plan, under Neighborhood Five, as part of Map Designation Area 38. The 1997 Master Plan recommended changing the land use designation from industrial-research-office to commercial-office-residential. The 1997 Master Plan land use designation change was implemented as part of the Z-278 application adopted by Ordinance O-05-96 but was later superseded by the 2003 and 2009 Master Plans.

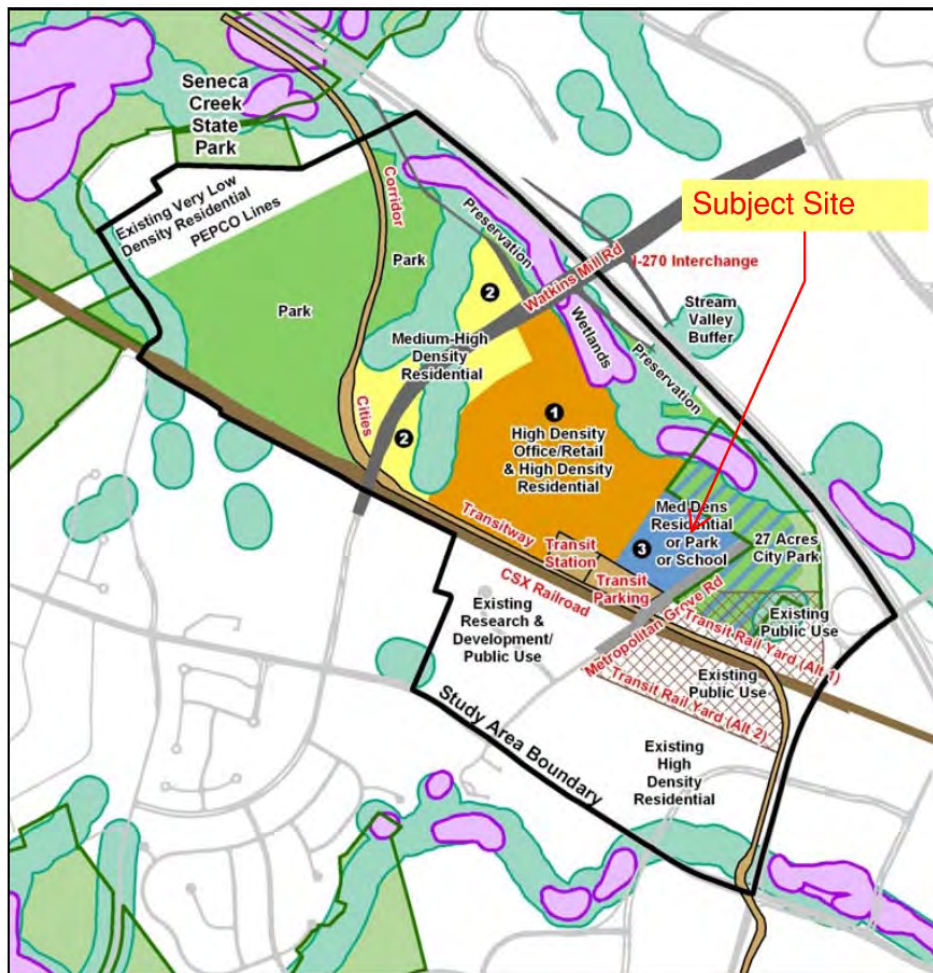
2003 Master Plan

The Site was included in the 2003 Master Plan under Special Study Area 6 (Casey-Metropolitan Grove) of the City's Land Use Element. The Site was included as part of the Northern Properties and identified as Map Designation 1 (current Watkins Mill Town Center sketch plan area and Parcel P310) and either Map Designation 3 or 4 (Stevenson and remaining Metrogrove properties). Although the Special Study area proposed three Land Use Options for the Northern Properties, only Option C is relevant for this Application:

Option C: Mixed Use Office-Residential with a Commercial Component

Map Designation 1 is recommended for a land use designation of mixed use residential-office-commercial and a zoning classification of MXD. Specifically, Map Designation 1 is recommended to have high-density office and residential development and a Transit Station. The core of the density should be located near the transit station and the majority of the development should be the high-density office component.

Map Designation 3 is recommended for a land use designation of open space-institutional-medium density office and a zoning classification of MXD. Specifically, Map Designation 3 is recommended to have Transit Parking near the railroad and a Park or Medium Density Office or a School for the remainder of the property.



2003 Master Plan, Special Study Area 6

In 2005, the approval and development of Watkins Mill Town Center, SDP-05-002, utilized Option C of the 2003 Master Plan. The approved SDP-05-002 included only a portion of the Site (Parcels P209 and P240, Parcel W Block E, and the Exchange Avenue right of way). The 2003 Master Plan recommendation for Map Designation 1 only applies to the western portion of the site: the area included in SDP-05-002 and Parcel P310. For this Application, the Applicant has chosen to apply Option C to Parcel P310, consistent with the option used for the surrounding Watkins Mill Town Center. When viewed in the context of the future urban core and existing Parklands community, this portion of the current Application is in accord with the 2003 Master Plan Special Study Area 6 Option C land use recommendation of mixed-use office-residential with a commercial component. The recommendation for Map Designation 4 (the eastern portion of the site) was superseded by the 2009 Master Plan, as noted below.

2009 Master Plan

The 2009 Master Plan, Land use Element, included the eastern part of the Site (Parcels P238, P241, P304, P305, and P342) as part of Map Designation 7. The Master Plan recommended that any redevelopment of this area should be compatible with the adjacent Watkins Mill Town Center development. The 2009 Master Plan states the following in regards to the Subject Area:

"This 50.7-acre area contains large undeveloped City-owned open space, land with temporary uses, the Montgomery County vehicle recovery facility, and several vacant lots. Redevelopment of this area must respond to, and shall be compatible with, development of the adjacent Watkins Mill Town Center. The Maryland State Department of Transportation has identified this area as the potential location for future I-270 express toll lane direct access ramps and a possible Corridor Cities Transitway operations and maintenance yard."

Additionally, the 2009 Master Plan has the following two land use and zoning recommendations, which only apply to the eastern portion of the Site:

Scenario A

- Retain Open Space land use designation for stream valley buffer along I-270
- Adopt Commercial-Office-Residential land use designation for remainder
- Zoning remains MXD

Scenario B

- Retain Open Space land use designation for stream valley buffer along I-270
- Adopt Commercial/Industrial-Research-Office land use designation for remainder
- Zoning remains MXD

When viewed in the context of the future urban core and existing Parklands community, this portion of the current Application is in accord with the 2009 Master Plan Map Designation 7 Scenario A land use recommendation of commercial-office-residential.

7. Metropolitan Grove east of Watkins Mill Town Center, 12 parcels, 50.7 acres



Lots 1 & 2 Busche Industrial Park and Tax Map FT 22 Parcels P138, P238, P241, P295, P304, P305, P342, P398, P404, and P435

2009 Master Plan Map

Adequate Public Facilities Ordinance (APFO)

Traffic Impacts (§ 24-245)

During the SDP review, Traffic Impact Study, TRF-9559-2023, was submitted and approved by the Department of Public Works. Staff has confirmed that traffic impact study is still valid. The Applicant made changes to the roadway as requested by Staff and determined that it would have no significant negative impact (Exhibit #12). Therefore, the proposed application complies with the requirements for the Adequate Public Facilities ordinance for traffic impacts.

Schools (§ 24-246)

The Properties are served by the Quince Orchard cluster of the Montgomery County Public School (MCPS) system. The schools within the cluster that serve the development is Brown Station Elementary School, Lakelands Park Middle School and Quince Orchard High School. According to the FY 2025 School Capacity Memo prepared by the City, the schools serving the Site will not be in moratorium in FY 2025-2030. The City collects a Gaithersburg MCPS Utilization Premium Payment fee for residential development that is located within a school service area that exceeds utilization thresholds established by Montgomery County. The fee is in addition to any applicable impact taxed and is grouped into three tiers. Quince Orchard High School is a Tier 2 and the Utilization Premium Payment fee will total \$5,777 per unit (Exhibit #10). The fees will be collected prior to issuance of building permits. As such, a condition of approval has been included. The application complies with the requirements of the adequate public facilities for schools.

Water & Sewer (§ 24-247)

The Properties are currently located in water and sewer categories W-1 and S-1 respectively. The application complies with the requirement for the Adequate Public Facilities requirements for water and sewer.

Emergency Services (§ 24-248)

The following three stations provide ten-minute response times to the subject property:

- Station 8 (Gaithersburg/Washington Grove- Montgomery Village Avenue)
- Station 22 (Germantown/Kingsview)
- Station 31 (Rockville)

Therefore, the site complies with the requirements for the Adequate Public Facilities requirements for Emergency Services.

Site Plan

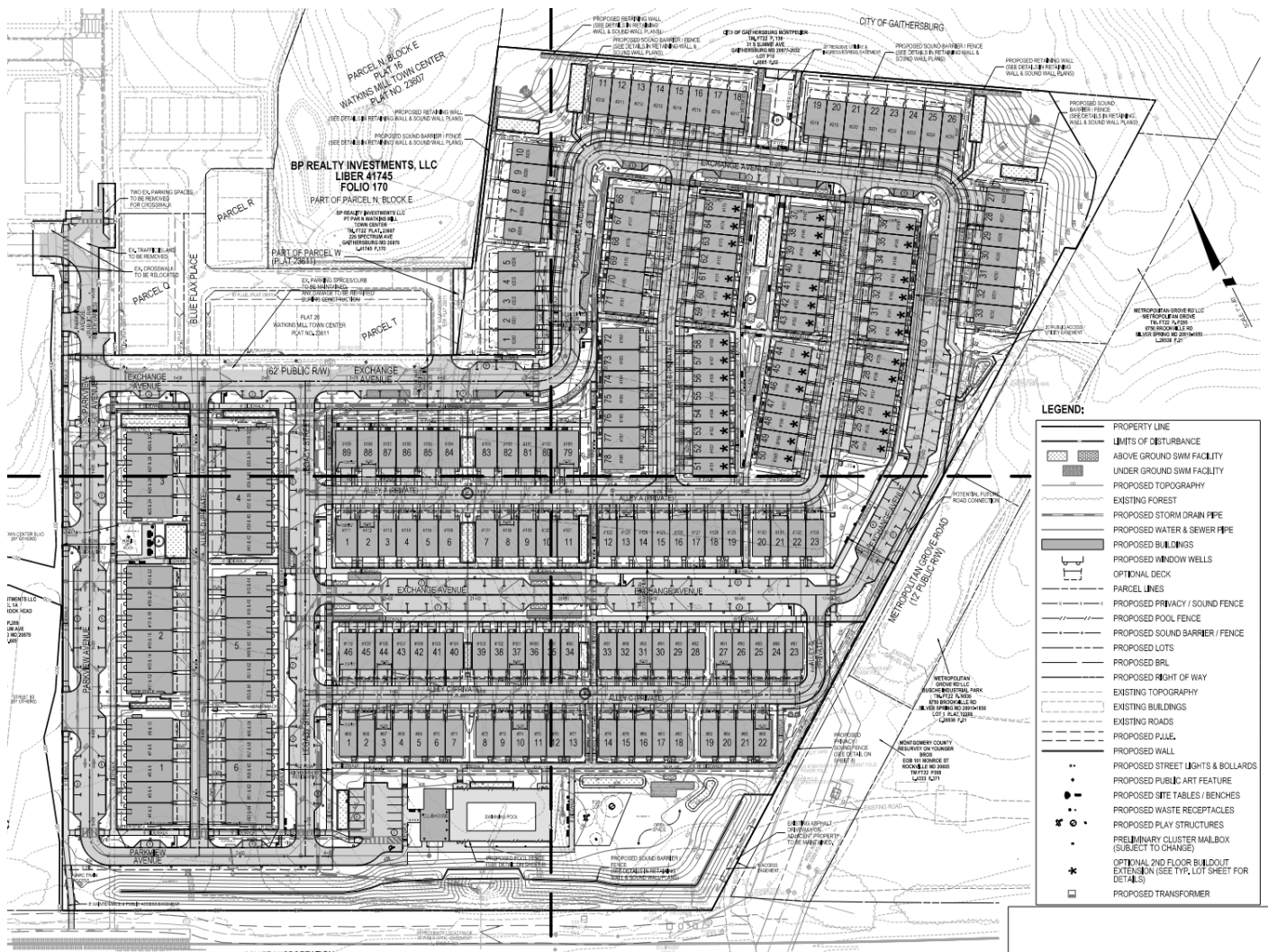
The Applicant is requesting approval to construct 232 single-family units, which include 64 two-over-two condominiums, 107 twenty-foot townhouse units, 33 twenty-two-foot townhouse units and 28 twenty-four-foot townhouse units (Exhibit #5). The development proposes thirty-six (36) Moderately Priced Dwelling Units (MPDU)/Workforce Housing Units (WFHU), which was approved as part of SDP-9558-2024. The maximum building height permitted per the Sketch Plan is up to five stories and the proposed building heights will be four stories. The final architecture for the residential units and community building will be reviewed as part of a subsequent Amendment to Final Site Plan application. All future buildings will be constrained to the build to lines established by this plan. The site plan shows decks encroaching into the Public Utilities Easement (PUE). The Applicant must receive approval from

utility companies to permit decks to encroach into the PUE. As such a condition of approval has been included.

The plan includes the construction of new streets on the Site and improvements to existing Exchange Avenue and Parkview Avenue. The Applicant improved Parkview Avenue, per the following conditions of the SDP approval:

- Redesign Parkview Avenue as a two-lane street along the development frontage and short segment between Urban Avenue and Exchange Avenue; and
- Dedicate HOA Parcel A for Parkview Avenue right-of-way.

The improvements also include the removal of an existing porkchop at the intersection of Parkview Avenue and Urban Avenue, removal of two existing parking spaces and new crosswalk connection.



The plan includes four (4) outdoor amenity spaces within the development. A park plaza adjacent to Parkview Avenue will contain seating, landscaping, public art and location for a historical marker. The historical marker was a condition of approval of the SDP. The Gaithersburg Community Museum requested that the Applicant work with Staff to implement a historical marker commemorating the historic Black neighborhood of Metropolitan Grove as part of the Gaithersburg History Project. To the south of the development will be the largest proposed amenity area. The area will serve as the community park and contain the community clubhouse, swimming pool, tot lot and open space. The area is intended to be the primary recreational facility for the community. To the north of development, includes two separate open spaces. One area is located between Units #217 and #218 and the other area is in the front of Units #161-#175 and #147-#160. These spaces are more open spaces and only contains landscaping, seating and stormwater management. The community and park/plaza spaces will be managed by its own Homeowners Association. The plan will maintain and enhance the pedestrian access to the MARC station and adjacent Parklands community. As part of the project, the Applicant will construct Town Center Boulevard to the circle in the Watkins Mill Urban Core, per approved Schematic Development SDP-05-002 and final site plan to further assist in traffic movement.



The Site is adjacent to the CSX railroad to the south and Interstate 270 to the north. Due to the noise generated by the train and Interstate 270, the Applicant provided an updated Noise Study (Exhibit #11). The City of Gaithersburg Environmental Standards for Development Regulation (Regulation #10-01-10), Section 34 states that noise mitigation must be in conformance with Staff guidelines for Consideration of Transportation Noise Impacts in Land Use Planning and Development, prepared by the Montgomery County Environmental Planning Division. The standards require noise levels to be mitigated 65 A-weighted decibels (dBA) day/night noise levels (Ldn) for exterior and 45 dBA Ldn for interior building spaces. According to the Noise Study, the townhouses will be expose to noise levels that are over the required standards. The Applicant is proposing a combination of building materials and sound mitigation walls to the south and north of the project site to further mitigate the noise and bring the noise levels to the required standards.

Staff Comments





Staff is supportive of the proposed site plans. The proposed plan is compliance with the approved SDP and the overall vision of the Stevenson-Metrogrove area. While Staff is supportive of the plan, Staff has noted some minor labeling errors, drafting errors. While these comments must be addressed prior to the final signature of the plans, Staff is of the opinion these changes are minor enough that the plans can still be approved by the Planning Commission with a condition of approval.

Parking





Parking for the residential units will be facilitated through a combination of garage, driveway and on-street spaces. Pursuant to § 24-219 of the City Code, the development is required to provide a total of 550 spaces and 761 spaces will be provided. Each lot will meet the required on-site parking requirements. The parking on Site is divided by Blocks. Below are the parking tables for each Block.

| BLOCK A | | | | |
|--|--------------------------|---------------------------|-----------------------------|--------------------------|
| LEGEND | REQUIRED SPACES | PROVIDED GARAGE SPACES | PROVIDED DRIVEWAY SPACES | TOTAL SPACES CREDITED |
|  2 OVER 2 CONDOS (32X2) | 64 DU X (2 SP./DU) = 128 | 64 | 64 | 128 |
|  ON-STREET PARKING | N/A | 0 | 0 | 39 |
| TOTAL | 128 | 64 | 64 | 167 |

PROPOSED ON-STREET PARKING RATIO FOR BLOCK A = 1.6 UNITS : 1 SPACE

| BLOCK B | | | | |
|--|---------------------------|---------------------------|-----------------------------|--------------------------|
| LEGEND | REQUIRED SPACES | PROVIDED GARAGE SPACES | PROVIDED DRIVEWAY SPACES | TOTAL SPACES CREDITED |
|  20' TH (REAR LOAD) | 33 DU X (2.5 SP./DU) = 83 | 33 | 66 | 99 |
|  20' TH (REAR LOAD MPDU/WFHU) | 13 DU X (2.5 SP./DU) = 33 | 13 | 26 | 39 |
|  OFF-STREET PARKING | N/A | 0 | 0 | 13 |
|  ON-STREET PARKING | N/A | 0 | 0 | 18 |
| TOTAL | 116 | 46 | 92 | 169 |

PROPOSED ON-STREET PARKING RATIO FOR BLOCK B = 2.55 UNITS : 1 SPACE

| BLOCK C | | | | |
|--|----------------------------|---------------------------|-----------------------------|--------------------------|
| LEGEND | REQUIRED SPACES | PROVIDED GARAGE SPACES | PROVIDED DRIVEWAY SPACES | TOTAL SPACES CREDITED |
|  20' TH (REAR LOAD) | 44 DU X (2.5 SP./DU) = 110 | 44 | 88 | 132 |
|  20' TH (REAR LOAD MPDU/WFHU) | 17 DU X (2.5 SP./DU) = 43 | 17 | 34 | 51 |
|  24' TH (REAR LOAD) | 28 DU X (2.5 SP./DU) = 70 | 28 | 56 | 84 |
|  ON-STREET PARKING | N/A | 0 | 0 | 43 |
| TOTAL | 223 | 89 | 178 | 310 |

PROPOSED ON-STREET PARKING RATIO FOR BLOCK C = 2.06 UNITS : 1 SPACE



| BLOCK D | | | | |
|---|---------------------------|---------------------------|-----------------------------|--------------------------|
| LEGEND | REQUIRED SPACES | PROVIDED GARAGE SPACES | PROVIDED DRIVEWAY SPACES | TOTAL SPACES CREDITED |
|  22' TH (FRONT LOAD) | 33 DU X (2.5 SP./DU) = 83 | 33 | 66 | 99 |
|  ON-STREET PARKING | N/A | 0 | 0 | 16 |
| TOTAL | 83 | 33 | 66 | 115 |

Exhibit #5: Parking Chart

Staff Comments

Staff is supportive of the proposed parking layout. In Staff's opinion, the parking garage and on-street parking will provide adequate parking for the residential use.

Forest Conservation Plan

As part of the Final Site Plan submission, the Applicant submitted Final Forest Conservation application ENV-9882-2024 in compliance with Chapter 22, Trees and Forest Conservation of the City Code (Exhibit #7). The development is required to provide 6.24 acres of reforestation. The reforestation will be fulfilled by the following:

- On-Site Street Tree Canopy= 1.00 acres
- On-Site Reforestation/Easement= 0.18 acres
- On-Site Canopy Coverage= 2.85 acres
- Off-Site Reforestation on Parcel N =2.21 acres

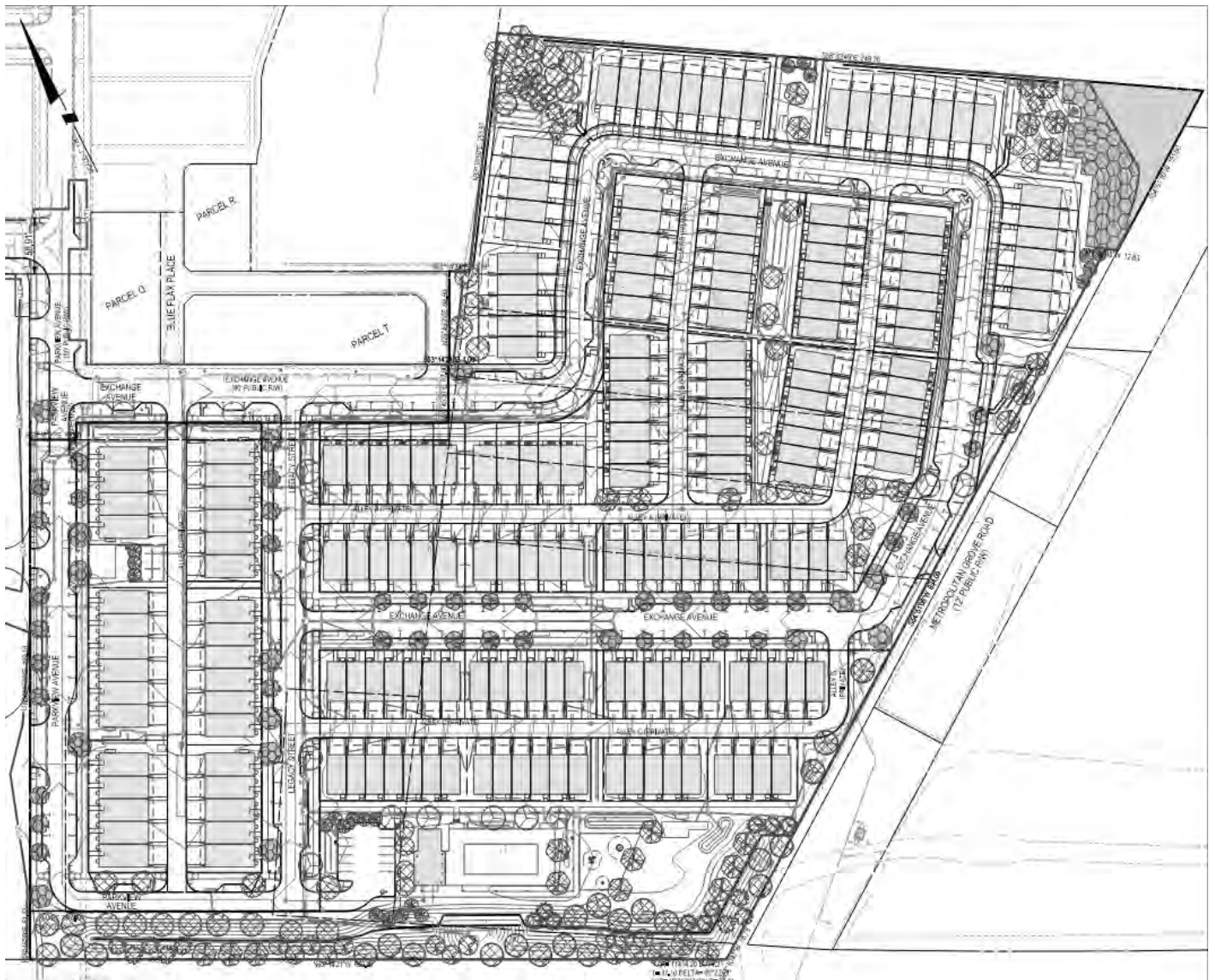


Exhibit #7: Final Forest Conservation Plan (Sheet 2)

Landscape Plan

The Applicant plans to incorporate a variety of landscaping throughout the development such as canopy trees, ornamental trees, evergreen trees, deciduous shrubs, evergreen shrubs, perennials, grasses and ground covers throughout the development (Exhibit #6). The landscape plan includes the following landscape types:

Canopy Trees

- Red Maple
- Hackberry
- Black Gum
- Ironwood
- White Oak
- Swamp White Oak
- Scarlet Oak

Ornamental Trees

- Amur Maple
- River Birch
- Saucer Magnolia
- Yoshino Cherry

Evergreen Trees

- American Holly
- Eastern White Pine
- Virginia Pine
- Bald Cypress

Deciduous Shrubs

- Limelight Hydrangea
- Maple Leaf Viburnum
- Little Lime Hydrangea
- Rhododendron
- Gumpo Pink Azalea
- Summersweet
- Knockout Rose
- Dwarf Virginia Sweetspire

Evergreen Shrubs

- Schip Laurel
- Otto Luyken Laurel
- Compact Inkberry Holly
- Green Velvet Boxwood

Perennials, Grasses, and Groundcovers

- Feather Reed Grass
- Purple Coneflower
- Meadow Phlox
- Big Blue Lily Turf

Staff Comments

Staff supports landscape plan and finds that the combination of shrubs and trees on the landscape plan will create a diverse and interesting landscape. While Staff is supportive of the proposed plans, Environmental Services Staff have noted some minor comments on the landscape plan, which include labeling errors and street trees over storm drain pipes and trees in close proximity to structures. While these comments must be addressed prior to the final signature of the plans, Staff is of the opinion these changes are minor enough that the plans can still be approved by the Planning Commission with a condition of approval.

IV. SUMMARY OF FINDINGS:

Staff is supportive of submitted Final Site Plan application SP-9881-2024. The proposed plan is in conformance with approved Schematic Development Plan SDP-9558-2024. Furthermore, Staff is of the opinion the proposed plan will integrate seamlessly into the adjacent Parklands community and will continue the overall visions of redevelopment of the Stevenson-Metrogrove properties. Lastly, Staff is supportive of Forest Conservation ENV-9882-2024 and finds that the Applicant will achieve the forest conservation requirements through on-site street canopy, on-site reforestation/easement, on-site canopy coverage, off-site street contribution and off-site reforestation.

V. CONCLUSION:

Staff recommends **THAT THE PLANNING COMMISSION, BASED ON THE EXHIBITS SUBMITTED, THE APPLICANT'S TESTIMONY, THE STAFF REPORT, FINDINGS, AND RECOMMENDATION, GRANT SP-9881-2024, FINAL SITE PLAN APPROVAL AND ENV-9882-2024 FINAL FOREST CONSERVATION PLAN, FINDING IT IN COMFORMANCE WITH §§ 24-170 and 24-171 OF THE CITY'S ZONING ORDINANCE WITH SEVEN (7) CONDITIONS:**

1. Applicant must submit revised site plans to address Staff comments related to the site plan and landscape plan, storm drain, grade establishment and photometric plan clean up to be approved by Planning and Department of Public Works Staff, prior to final signature of the plans;
2. Applicant to receive final dry utility sign-off prior to the issuance of a site development permit;

3. Applicant must receive third party review and certification for all retaining walls, prior to issuance of any permits;
4. Applicant to receive approval from utility companies to allow decks to encroach into the Public Utilities Easement (PUE), prior to approval of the final site plan for the architectural elevations by the Planning Commission;
5. Applicant to pay \$5,777 MCPS Utilization Premium Payment fee per dwelling unit prior to issuance of any building permits;
6. Applicant to pay \$69,565 to the City's Forest Conservation Fund for the off-site reforestation plan, prior to issuance of any site development permits; and
7. Applicant to make a \$26,000 financial contribution to the City's Forest Conservation Fund, equivalent to the costs of ten, two-inch caliper large shade trees as mitigation for variance approval ENV-9927-2024, prior to the issuance of any site development permits.